

**Amendments to the Claims**

Please amend claims 1, 2, 8, 11 and 15. Please cancel claims 3, 10 and 16. The currently pending claims after amendment are listed below.

1       1. (Currently Amended) An instant messaging computer program product operating in a first  
2 computer system attached to a network of computer systems, said computer program product  
3 including a plurality of processor executable instructions recorded on signal-bearing media,  
4 wherein said instructions comprise:

5           an incoming message function, said incoming message function receiving incoming instant  
6 messages from users of other computer systems attached to said network, said other computer  
7 systems attached to said network executing respective instant messaging applications, said  
8 incoming message function further informing a first user of said first computer system of receipt  
9 of said incoming instant messages;

10           an outgoing message function, said outgoing message function sending outgoing instant  
11 messages to said respective instant messaging applications executing in said other computer  
12 systems attached to said network; and

13           an availability reporting function, said availability reporting function reporting availability  
14 status of said first user to one or more said respective instant messaging applications executing in  
15 said other computer systems attached to said network, wherein said availability reporting function  
16 automatically infers whether said first user is available by accessing calling a calendar application  
17 to access calendar data concerning said first user stored in at least one calendar data file  
18 maintained by said calendar application, said calendar application being an application  
19 independent of said instant messaging application.

1       2. (Currently Amended) The instant messaging computer program product of claim 1,  
2       wherein said availability reporting function further automatically infers whether said ~~first~~ user is  
3       available from at least one indicium of availability from the set consisting of: (a) whether the first  
4       computer has received any input from the ~~first~~ user within a predetermined time period; and (b)  
5       whether the first computer is in a locked state.

3. (Cancelled)

1       4. (Original) The instant messaging computer program product of claim 1, wherein said  
2       availability status reported by said availability reporting function includes a reason for inferring  
3       unavailability.

1       5. (Original) The instant messaging computer program product of claim 1, wherein said  
2       calendar data includes normal hours of availability.

1       6. (Original) The instant messaging computer program product of claim 1, wherein said  
2       calendar data includes events.

1       7. (Original) The instant messaging computer program product of claim 1, wherein said  
2       network is the Internet, and wherein:  
3               said incoming instant messages are received from an Internet server;  
4               said outgoing instant messages are sent to said Internet server; and  
5               said availability status is reported to said Internet server.

1       8. (Currently Amended) A method for performing instant messaging in a first computer  
2       system attached to a network of computer systems, comprising the steps of:  
3            receiving incoming instant messages for a first user in said first computer system from  
4       users of other computer systems attached to said network, said other computer systems attached to  
5       said network executing respective instant messaging applications;  
6            sending outgoing instant messages to said respective instant messaging applications  
7       executing in said other computer systems attached to said network;  
8            receiving a request for availability status of said first user from an instant messaging  
9       application executing in a second computer system attached to said network; and  
10          responsive to receiving said request for availability status, reporting availability status of  
11       said first user to said instant messaging application executing in said second computer system  
12       attached to said network, wherein said step of reporting availability status comprises  
13          automatically inferring whether said first user is available by accessing calling a calendar  
14       application to access calendar data concerning said first user stored in at least one calendar data  
15       file maintained by said calendar application, said calendar application being an application  
16       independent of said instant messaging application.

1       9. (Original) The method for performing instant messaging of claim 8, wherein said step of  
2       reporting availability further comprises automatically inferring whether said first user is available  
3       from at least one indicium of availability from the set consisting of: (a) whether the first computer  
4       has received any input from the first user within a predetermined time period; and (b) whether the  
5       first computer is in a locked state.

10. (Cancelled)

1 11. (Currently Amended) The method for performing instant messaging of claim 8, wherein  
2 said availability status ~~reported by said reporting availability step~~ includes a reason for inferring  
3 unavailability.

1 12. (Original) The method for performing instant messaging of claim 8, wherein said calendar  
2 data includes normal hours of availability.

1 13. (Original) The method for performing instant messaging of claim 8, wherein said calendar  
2 data includes events.

1 14. (Original) The method for performing instant messaging of claim 8, wherein said network  
2 is the Internet, and wherein:  
3       said incoming instant messages are received from an Internet server;  
4       said outgoing instant messages are sent to said Internet server; and  
5       said availability status is reported to said Internet server.

1       15. (Currently Amended) A computer system providing an instant messaging function,  
2       comprising:  
3               a programmable processor;  
4               a network interface connecting said computer system to a network of computer systems;  
5               a display for displaying information to a user of said computer system;  
6               an incoming message function executable on said programmable processor, said incoming  
7       message function receiving incoming instant messages from users of other computer systems  
8       attached to said network, said other computer systems attached to said network executing  
9       respective instant messaging applications, said incoming message function further displaying said  
10      incoming messages on said display;  
11               an outgoing message function executable on said programmable processor, said outgoing  
12      message function sending outgoing instant messages to said respective instant messaging  
13      applications executing in said other computer systems attached to said network; and  
14               an availability reporting function executable on said programmable processor, said  
15      availability reporting function reporting availability status of said a first user to a second user  
16      , said first user being a user of said computer system, said second user being a user of an instant  
17      messaging application executing in a second computer system attached to said network, wherein  
18      said availability reporting function automatically infers whether said first user is available by  
19      accessing calling a calendar application to access calendar data concerning said first user stored in  
20      at least one calendar data file maintained by said calendar application, said calendar application  
21      being an application independent of said instant messaging application.

16. (Cancelled)

1        17. (Original) The computer system of claim 15, wherein said network is the Internet, and  
2        wherein:  
3                said incoming instant messages are received from an Internet server;  
4                said outgoing instant messages are sent to said Internet server; and  
5                said availability status is reported to said Internet server.